



Filed: 5/25/2005

09400SB2038ham001

LRB094 07264 LCB 46366 a

1 AMENDMENT TO SENATE BILL 2038

2 AMENDMENT NO. _____. Amend Senate Bill 2038 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. "An Act to authorize the Department of Mental
5 Health to convey certain State-owned lands in Kane County",
6 approved August 10, 1965, as amended by "An Act to amend
7 Section 3 of "An Act to authorize the Department of Mental
8 Health to convey certain State-owned lands in Kane County",
9 approved August 10, 1965", approved March 2, 1967, is amended
10 by changing Section 3 as follows:

11 (Laws 1965, p. 2927, Sec. 3; Laws 1967, p. 28, Sec. 1)

12 Sec. 3. (a) Except as provided in subsection (b), the ~~The~~
13 purchaser shall agree that the land described in Section 1
14 shall be used for public educational and recreational purposes,
15 but may convey any part of that land to the board of a public
16 junior college district which includes any part of Kane County
17 in its territory at a purchase price computed on the basis of a
18 price per acre which does not exceed that authorized by this
19 Act for the conveyance to the City of Elgin. Such an agreement
20 does not prevent the City of Elgin from selling or leasing,
21 under the conditions and in the manner provided in Division 76
22 of Article 11 of the Illinois Municipal Code, any part of that
23 land not so conveyed.

24 (b) The provisions of subsection (a) do not apply to the

1 following described land, which is a part of the land described
2 in Section 1:

3 THAT PART OF THE SOUTH HALF OF SECTION 21, TOWNSHIP 41 NORTH,
4 RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS
5 FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST
6 QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21; THENCE
7 SOUTH 88 DEGREES 16 MINUTES 35 SECONDS WEST, ALONG THE NORTH
8 LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID
9 SECTION 21, A DISTANCE OF 474.18 FEET; THENCE NORTH 58 DEGREES
10 14 MINUTES 37 SECONDS WEST, A DISTANCE OF 235.77 FEET; THENCE
11 NORTH 32 DEGREES 44 MINUTES 49 SECONDS WEST, A DISTANCE OF
12 162.03 FEET; THENCE NORTH 09 DEGREES 02 MINUTES 18 SECONDS
13 WEST, A DISTANCE OF 360.85 FEET FOR THE POINT OF BEGINNING;
14 THENCE SOUTH 09 DEGREES 02 MINUTES 18 SECONDS EAST, A DISTANCE
15 OF 360.85 FEET; THENCE SOUTH 32 DEGREES 44 MINUTES 49 SECONDS
16 EAST, A DISTANCE OF 162.03 FEET; THENCE SOUTH 58 DEGREES 14
17 MINUTES 37 SECONDS EAST, A DISTANCE OF 74.33 FEET; THENCE SOUTH
18 37 DEGREES 35 MINUTES 46 SECONDS EAST, A DISTANCE OF 109.91
19 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF
20 THE SOUTHWEST QUARTER OF SAID SECTION 21; THENCE SOUTH 88
21 DEGREES 16 MINUTES 35 SECONDS WEST, ALONG THE SOUTH LINE OF THE
22 NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21
23 ALSO BEING THE SOUTH LINE OF PROPERTY PREVIOUSLY OWNED BY THE
24 STATE OF ILLINOIS BY DOCUMENT NUMBER 498148, A DISTANCE OF
25 783.03 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF
26 THE SOUTHWEST QUARTER OF SAID SECTION 21; THENCE NORTH 00
27 DEGREES 56 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF THE
28 NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21
29 ALSO BEING THE MOST WESTERLY LINE OF PROPERTY PREVIOUSLY OWNED
30 BY THE STATE OF ILLINOIS BY DOCUMENT NUMBER 498148, A DISTANCE
31 OF 624.62 FEET TO THE INTERSECTION WITH A LINE THAT IS 30.00
32 FEET, AS MEASURED PERPENDICULAR, SOUTHERLY OF AND PARALLEL WITH
33 THE NORTHERLY LINE OF PROPERTY PREVIOUSLY OWNED BY THE STATE OF
34 ILLINOIS BY DOCUMENT NUMBER 498148; THENCE NORTH 88 DEGREES 01

1 MINUTES 35 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF
2 518.58 FEET TO THE POINT OF BEGINNING. BEING SITUATED IN THE
3 CITY OF ELGIN, KANE COUNTY, ILLINOIS AND CONTAINING 8.59 ACRES
4 MORE OR LESS.

5 (Source: Laws 1965, p. 2927; Laws 1967, p. 28.)

6 (P.A. 81-910, Sec. 1-6 rep.)

7 Section 10. "An Act authorizing the Director of Mental
8 Health and Developmental Disabilities to convey certain real
9 property", approved September 22, 1979, Public Act 81-910, is
10 amended by repealing Section 1-6.

11 Section 15. Upon the payment of the sum of \$1 to the State
12 of Illinois, Department of Corrections, the Director of the
13 Department of Corrections, on behalf of the State of Illinois,
14 is authorized to execute and deliver to the Community Unit
15 School District 303 a Quit Claim Deed to the following
16 described real property, to wit:

17 THE EAST 1/2 OF THE SOUTHEAST QUARTER LYING SOUTHERLY OF
18 THE SOUTHERLY LINE OF ILLINOIS ROUTE 38 OF SECTION 31,
19 TOWNSHIP 40 NORTH, RANGE 8 (EXCEPT PARTS LYING IN THE
20 FOLLOWING TRACTS: PART CONVEYED TO CITY OF GENEVA BY DEED
21 AS DOCUMENT NUMBER 2003K030617 RECORDED FEBRUARY 20, 2003
22 AND PART CONVEYED TO CITY OF ST. CHARLES BY DEED AS
23 DOCUMENT NUMBER 2003K107154 RECORDED JUNE 27, 2003 AND
24 PARTS CONVEYED TO ST. CHARLES PARK DISTRICT BY DEED
25 DOCUMENT 2003K003045 AND DEED DOCUMENT 2003K003046
26 RECORDED JANUARY 7, 2003, PART CONVEYED TO CITY OF ST.
27 CHARLES BY DEED DOCUMENT 93K095347, ALSO EXCEPT PART
28 CONVEYED TO ILLINOIS DEPT. OF TRANSPORTATION BY DEED
29 DOCUMENT 1690232 AND ALSO EXCEPT ANY PART LYING IN PECK
30 ROAD) IN CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

31 Section 20. The General Assembly finds as follows:

1 (1) Public Act 92-532 authorized the transfer of parcels of
2 land from the Illinois Department of Corrections to the City of
3 St. Charles.

4 (2) It was the understanding of the Illinois Department of
5 Corrections and the City of St. Charles that the conveyance
6 described in Section 10 of this Act would be included in Public
7 Act 92-532.

8 (3) It has since been discovered that the conveyance
9 described in Section 10 of this Act was not included in Public
10 Act 92-532, and this Act is necessary to ensure that the
11 conveyance be made so that the land may be used for a public
12 purpose.

13 Section 25. The Director of the Illinois Department of
14 Corrections is authorized to convey a permanent exclusive
15 easement to the City of St. Charles, Illinois, lessees of the
16 City of St. Charles, Illinois, and all public utility companies
17 of any kind of operation under franchise agreements granting
18 them easement rights from the City of St. Charles, Illinois,
19 and their successors and assigns in, upon, across, over, under,
20 and through the following described land in Kane County,
21 Illinois:

22 Parcel 10: ILLINOIS DEPARTMENT OF CORRECTIONS

23 The Westerly Sixty Feet and the Northerly Ten Feet of that part
24 of the Southeast Quarter of Section 31 Township 40 North, Range
25 8 East of the Third Principal Meridian, described as follows:

26 Beginning at the Northeast corner of Tract of Land conveyed to
27 the City of St. Charles by Quit Claim Deed recorded November
28 30, 1993 as Document No. 93K095347 (Parcel 1) in the Kane
29 County Records Office; thence Southerly along the East Line
30 of said Tract, 749.89 feet; thence Southwesterly along the
31 Southeast Line of said Tract which forms an angle of 210
32 degrees 30 minutes and 00 seconds with last described course

1 (measured clockwise therefrom) 309.61 feet; thence Easterly
2 along a line that forms an angle of 59 degrees 55 minutes and
3 57 seconds with the last described course (measured clockwise
4 therefrom) 715.24 feet, to a point on the Southerly Extension
5 of the West Line of Tract of Land conveyed to the Illinois
6 Department of Transportation by document No. 1690232 in said
7 Recorders Office, said point being 550.00 feet South of
8 Southwest corner of said Tract; thence Northerly along said
9 Southerly Extension and the West Line of said Tract, and which
10 line forms an angle of 90 degrees 00 minutes and 00 seconds
11 with the last described course (measured clockwise therefrom)
12 1050.00 feet, to the Northwest corner of said Illinois
13 Department of Transportation Tract, being on the South Right of
14 Way of Illinois State Route 38, (said South Right of Way Line
15 being 60.00 feet normally distant South of the Centerline of
16 Illinois State Route 38); thence westerly along said Right of
17 Way line 566.70 feet, to the Point of Beginning, in St. Charles
18 Township, Kane County, Illinois.

19 Section 90. The Director of the Illinois Department of
20 Corrections shall obtain a certified copy of the portion of
21 this Act containing the title, enacting clause, effective date,
22 the appropriate Sections containing the land descriptions of
23 the property listed in Sections 15 and 25 to be transferred or
24 otherwise affected under this Act after its effective date and,
25 upon receipt of payment, if payment is required by the Section,
26 shall record the certified document in the Recorder's Office in
27 Kane County.

28 Section 99. Effective date. This Act takes effect upon
29 becoming law."